

Construction General Permit (NDR10-0000)

Amanda Cross
(701) 328-5244
across@nd.gov

North Dakota Department of Health
Division of Water Quality
Permits Program

March 27, 2013

Construction Permit

- Permit #: NDR10-0000
- Reissued October 12, 2009
- Expires September 30, 2014

Permit No:	NDR10-0000
Effective Date:	October 12, 2009
Expiration Date:	September 30, 2014


AUTHORIZATION TO DISCHARGE UNDER THE
NORTH DAKOTA POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with Chapter 33-16-01 of the North Dakota Department of Health rules as promulgated under Chapter 61-28 (North Dakota Water Pollution Control Act) of the North Dakota Century Code,

Facilities both qualifying for and satisfying the requirements identified in Part I of the permit are authorized to discharge stormwater associated with **construction activity** to waters of the state in accordance with conditions set forth in this permit.

This permit and the authorization to discharge shall expire at midnight, September 30, 2014.

Signed this 12TH day of October, 2009.


Dennis R. Fewless, Director
Division of Water Quality

BP 2009.02.05

Construction Permit

Construction Permit: *Page 5; Part I.D*

➤ Local Authority

- The permit does not preempt or supersede the authority of local agencies to prohibit, restrict, or control stormwater discharges to storm sewer systems or other water courses within their jurisdiction

Discharges

Discharges Covered

Construction Permit: *Page 3; Part I.A*

Stormwater Discharges from:

Construction Activity

- Large - sites that are 5 acres or more in size
- Small - sites that are 1-5 acres
- Sites that are part of a larger common plan of development

Support Activities

- Concrete or asphalt batch plants
- Equipment staging yards
- Material storage areas
- Excavated material disposal areas
- Borrow areas

Discharges Not Covered

Construction Permit: *Page 3; Part I.B*

- Industrial stormwater other than construction activity
- Post-construction discharges
- Industrial (or sanitary) wastewater
- Dredge or fill activity
 - (U.S. Army Corps of Engineers Section 404 permits)

Discharges Not Covered

Construction Permit: *Page 3; Part I.B*

- Discharges to waters with a total maximum daily load (TMDL) allocation for sediment, suspended solids or turbidity unless the SWPP plan is consistent with the assumptions, allocations and requirements in the approved TMDL.
- Stormwater discharges the NDDoH determines will cause or potentially cause a violation of a water quality standard.

Obtaining Coverage


Obtaining Coverage

Construction Permit: Page 4; Part I.C

Must submit :


- Application
- SWPP Plan
 - Only if project is greater than 50 acres OR within 2,000 feet of an impaired body of water

Permit coverage becomes effective 7 days after your completed application is received by the Department.

APPLICATION (NOTICE OF INTENT) TO OBTAIN COVERAGE UNDER NDPD'S GENERAL PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY (NDR10-0000)		FOR DEPT. USE ONLY	
 APPLICATION (NOTICE OF INTENT) TO OBTAIN COVERAGE UNDER NDPD'S GENERAL PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY (NDR10-0000) NORTH DAKOTA DEPARTMENT OF HEALTH DIVISION OF WATER QUALITY SFN 19145 (01/10)		Application No.: Date Received:	
GENERAL INFORMATION			
Name of Owner or Construction Project Large Development Co., LLP	Contact Person Name (M/F/MS) John Doe	Contact Phone No. (701) 555-5555	
Mailing Address 1234 Main St	City Anytown	State/Province ND	ZIP Code 58500
Name of Operator Working at Site (Attach additional if needed) Various Contractors	Contact Person Name (M/F/MS)	Contact Phone No.	
Mailing Address	City	State/Province	ZIP Code
PROJECT INFORMATION			
Name of Construction Project Golden Acres			
Brief Description of Construction Activity Residential and commercial development. Streets, utilities, and buildings will be built as needed			
Project Start Date May 1, 2013	Estimated Completion Date December 2014	Estimated Total Area of Site (Acres) 250	Estimated Area of Disturbance (Acres) 200
Street Address 5201 38th St North		City Fargo	
Project Location	Township 139 Range 49 Section 36 SW 1/4 SW 1/4 SW 1/4	County Cass	
Latitude Longitude			
Name of Surface Storm Sewer System, Including Receiving Water City of Fargo MS4			
Receiving Waters City: Name or Description of Receiving Water			
Stormwater Pollution Prevention Plan (SWPPP) Requirements			
Has a SWPPP been developed in accordance with Part I.C of NDR10-0000? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
SWPPP Contact (Name to whom Part I.C.2.g)		SWPPP Contact Phone No.	
John Doe		(701) 555-5555	
Signature Information		SWPPP Location (NDR10-0000, Part I.C.2.g)	
I certify under penalty of law that I have personally examined and am familiar with the information submitted herein. Based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment.		On site	
RETURN COMPLETED APPLICATION TO: North Dakota Department of Health Division of Water Quality, 4 th Floor 918 East Divide Avenue Bismarck, ND 58501-1947 Telephone: (701) 328-5210 Fax: (701) 328-5200		Printed name of Owner(s) John Doe Title President Printed name of Operator(s) Title Signature of Operator(s)	

(Attach additional pages if needed)

Stormwater Pollution Prevention Plan (SWPPP)


STORMWATER POLLUTION PREVENTION PLAN TEMPLATE
 NORTH DAKOTA DEPARTMENT OF HEALTH
 DIVISION OF WATER QUALITY
 SFN 19386 (12/2010)

Stormwater Pollution Prevention Plan

For:

Project Name: _____

Site Location/Address: _____

City: _____

County: _____

Site Telephone Number: _____
(if applicable)

Owner(s):

Company or Organization: _____

Contact Name: _____

Mailing Address: _____

City, State, Zip Code: _____

Telephone Number: _____

Fax: _____

E-mail: _____

SWPPP Preparation Date: _____

NDPD'S Permit Coverage Number: _____

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Application Process

Construction Permit: *Page 4; Part I.D*

Applicant Responsibilities:

- The owner, or owner jointly with the operator, shall submit a completed application.
- The owner is responsible for all terms and conditions of the permit.
- The operator has day to day supervision of construction activities and is jointly responsible for compliance as they pertain to the activities delegated to the operator.

Application Process

Construction Permit: *Page 5; Part I.D*

- Residential Construction (within a larger common plan of development)
 - The owner of the lot(s) submits one application for all their construction activity within the common plan; or
 - The operator who may represent one or more lot owners submits one application for all their construction activity within the common plan
 - Also, a SWPPP must be developed and implemented for the permittee's activities within the common plan of development

Application Process

- A SWPP plan must be prepared prior to the start of construction
- A copy of the SWPPP must be submitted to the Dept. if:
 - The project involves 50 or more acres
 - The project is located within 2000 ft of and flows to a water body listed as impaired for sediment (303(d) List)

Stormwater Pollution Prevention Plan

Stormwater Pollution Prevention Plan

Construction Permit: *Page 7; Part II.C*

- All permitted construction projects must develop and implement a SWPPP.
- The objective of the SWPPP is to identify potential sources of sediment or other pollution from construction activity and ensure practices are used to reduce pollution from construction site runoff.
- The SWPPP and revisions are subject to review by the NDDoH.

Stormwater Pollution Prevention Plan

Construction Permit: *Page 7; Part II.C*

- Documents developed under other regulatory programs (e.g., SPCC plan) can be included in the SWPPP, incorporated by reference, or used in whole as a SWPPP if it meets the requirements of the permit.
- A different SWPPP must be developed for every construction project (except as allowed for residential and oil & gas permittees).

SWPP Plan – Site Description

Construction Permit: Page 7; Part II.C.1

- Location
- Size
- Project Type and Description of activity
- Description of soils
- Project timetable
- Name of receiving waters

Stormwater Pollution Prevention Plan (SWPPP)

- f. Provide the drainage path runoff takes as it leaves the site. Include the municipal, county or state-operated storm sewer or drainage ditch, as well as the first named waterbody or wetland (if known) to which the site drains. Attach additional pages if need and label 1-f.

Also include whether or not the waterbody is listed in the most recent *North Dakota Integrated Section 305(b) Water Quality Assessment Report and Section 303(d) List of Water Needing Total Maximum Daily Load* or if a total maximum daily load (TMDL) has been developed for the waterbody.

The Integrated Report and a list of waterbodies with a TMDL may be found at:
www.ndhealth.gov/WQ/SW/Z2_TMDL/default.htm

- If the waterbody is listed in the Integrated Report in the Section 303(d) List as impaired due to sedimentation/siltation, then distance to the waterbody must be included.
- If a TMDL allocation has been developed for the waterbody or overall watershed, then a list of the particular pollutants must be included and the SWPP Plan must be developed to satisfy Part I.B.5 of NDR10-0000. The pollutants of concern often are referenced in the title of the TMDL document.

For example: The site drains to the Bismarck storm sewer and discharges into a tributary of Hay Creek. Hay Creek is listed as impaired for sediment and is 1,000 feet from the site.

- g. Provide a site map showing the following items. Please note: Items 1 through 10 all must be shown on the site map. Label as 1-g.
- 1) Drainage patterns, including flow direction, dividing lines, existing grade and final grade
 - 2) Construction site boundaries
 - 3) Areas of soil disturbance
 - 4) Location of major structural controls identified in this plan
 - 5) Location of major nonstructural controls identified in this plan
 - 6) Location of areas that will be stabilized
 - 7) Surface waters, including an aerial extent of wetland acreage
 - 8) Locations where stormwater is discharged to surface waters
 - 9) Locations where stormwater enters municipal storm sewer systems
 - 10) If part of the project, additional site maps of:
 - Off-site concrete/asphalt batch plants
 - Equipment staging areas
 - Borrow sites
 - Offsite material disposal sites

2. Operational Controls. The plan must describe the best management practices (BMPs) used in day-to-day operations on the project site that reduce the contribution of pollutants in stormwater runoff.

- a. **SWPPP plan contact.** The SWPPP plan contact must be an individual who is knowledgeable and experienced in the application of erosion and sediment control BMPs who will oversee the implementation of the SWPP plan and the installation, inspection and maintenance of the erosion and sediment control BMPs before and during construction. The contact may be identified by name or title.

SWPPP contact: _____

Phone: _____

Title: _____

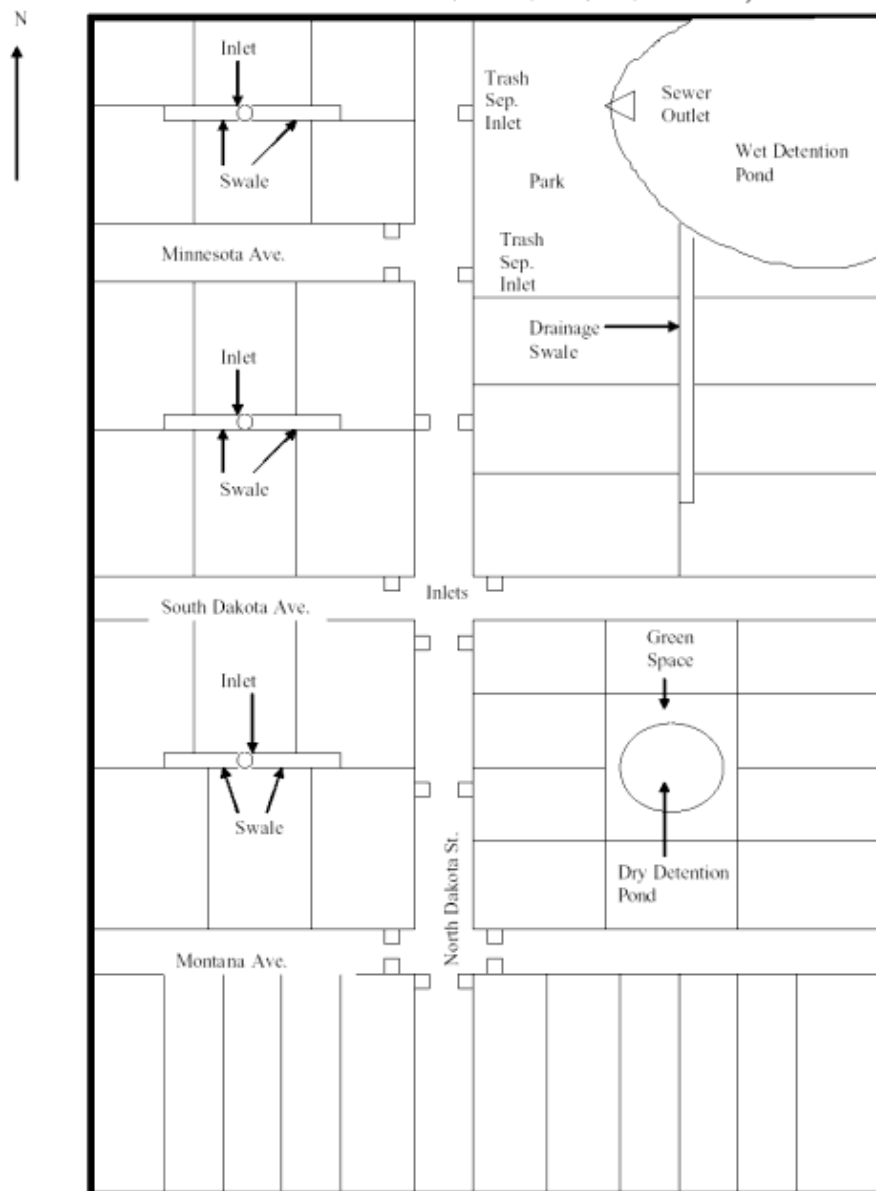
SWPP Plan – Site Map

Construction Permit: *Page 8; Part II.C.1*

Site Map must indicate:

- Drainage patterns including flow direction, dividing lines, and the existing and final grades
- Construction site boundaries and areas of soil disturbance
- Location of major structural and nonstructural controls identified in the plan
- Location of areas where stabilization practices are expected to occur
- Surface waters, including an aerial extent of wetland acreage
- Locations where stormwater is discharged to surface water (e.g., ditches, storm sewer inlets)
- Where included as part of the project, the site maps for offsite concrete/asphalt batch plants, equipment staging areas, borrow sites or excavated fill material disposal sites

Golden Acres: NE ¼ and SE ¼, Sec. 10, T140, R49, Cass County



Stormwater Controls

SWPP Plan – Operational Controls

Construction Permit: *Page 8; Part II.C.2*

1) Good Housekeeping

- Must maintain a clean and orderly site
- Must handle litter, debris, chemicals and parts properly to minimize exposure to stormwater
- Includes measures to reduce and remove sediment tracked offsite by vehicles or equipment
- Includes dust control

SWPP Plan – Operational Controls

Construction Permit: *Page 8; Part II.C.2*

2) Preventative Maintenance

- Stormwater control devices (e.g., oil-water separators, catch basins, silt fences)
- Equipment used or stored on site

3) Spill Prevention and Response Procedures

- Must be developed where potential spills can occur. Where appropriate
- Bulk storage of petroleum products and other chemicals must have adequate leak and spill protection

SWPP Plan – Operational Controls

Construction Permit: *Page 8; Part II.C.2*

4) Employee Training

- At least annually,
- As new employees are hired, or
- As necessary to ensure compliance with the SWPPP and permit

5) Concrete wash water, grindings, and slurry shall not be discharged to waters of the state, storm sewer systems, or allowed to drain onto adjacent properties

- Wash water disposal must be limited to a defined or designated area
- The area must be sufficient to contain the wash water and residual cement

Erosion Control

Erosion & Sediment Control Guidelines

Construction Permit: *Page 21; Appendix 1*

- Provide temporary erosion protection or permanent cover where activities have been completed or temporarily ceased.
- Protection or cover must be provided
 - Within 21 days of completing or ceasing earthmoving activities in areas with a continuous positive slope within 200 lineal feet of a surface water.
- Temporary soil stockpiles must have effective sediment controls and cannot be placed in surface waters.

Erosion & Sediment Control Guidelines

Construction Permit: *Page 21; Appendix 1*

- Temporary (or permanent) sediment basins, or equivalent controls, must be provided
 - Where ten or more acres of disturbed area drains to a common location prior to runoff leaving the site or entering surface waters.
 - Temporary sediment basins should be used where appropriate in areas with steep slopes or highly erodible soils, even if less than 10 acres is disturbed.
- Where temporary sediment basins are not practical a combination of measures must be used to provide equivalent sediment control.

Erosion & Sediment Control Guidelines

Construction Permit: *Page 21; Appendix 1*

- You must consider public safety in order to determine whether installing a sediment basin is feasible. Other factors to consider are soil types, slope, and availability of area.

- Sediment basins shall be sized to:
 - Provide 3,600 c.f. of storage below the outlet pipe per acre drained to the basin
 - Provide storage for runoff from a 2 year, 24 hour storm event and provide at least 1800 c.f. of storage for each acre that drains to the basin.

Erosion & Sediment Control Guidelines

Construction Permit: *Page 21; Appendix 1*

- Sediment basins outlets:
 - Must be designed to avoid short-circuiting and the discharge of floating debris.
 - Must allow complete drawdown for maintenance activities.
 - The drawdown device (perforated riser pipe, pumps, floating outlet) should be designed to release the storage volume within 24 hours or longer.
 - Must have a stabilized emergency overflow.
 - Must install energy dissipation device.

Erosion & Sediment Control Guidelines

Construction Permit: *Page 21-22; Appendix 1*

- Pipe outlets must be provided
 - with temporary or permanent energy dissipation
 - within 24 hours of connection to a surface water.
- Splash pads and/or downspout extensions must be provided for roof drains.
- For slopes that are 3:1 or steeper, there should be no unbroken slope length greater than 75 feet.
- Temporary or permanent drainage ditches and sediment basins that are part of a treatment system require sediment controls only as appropriate for site conditions.

Erosion & Sediment Control Guidelines

Construction Permit: *Page 22; Appendix 1*

➤ Vegetated buffers

- Must have a minimum width of 25 feet for every 125 feet of disturbed area which drains to the buffer.
- For each additional 5 feet of disturbance, 1 foot of buffer must be added.
- The width of a buffer shall have a slope less than 5%.
- The area draining to the buffer shall have a slope less than 6%.
- Concentrated flows should be minimized.

Erosion & Sediment Control Guidelines

Construction Permit: *Page 22; Appendix 1*

- Vegetated buffers cont'
 - Must consist of dense grassy vegetation
 - Vegetation must be 3 to 12 inches tall
 - Vegetation must have a uniform coverage over 90% of the buffer
 - Woody vegetation shall not be counted towards the 90% coverage
 - No more than 10% of the overall buffer may consist of woody vegetation

Erosion & Sediment Control Guidelines

Construction Permit: *Page 22; Appendix 1*

Storm Drain Inlets

- All storm drain inlets in the immediate vicinity of the site must be protected until all disturbed areas that discharge to the inlet have been stabilized.
 - Includes inlets that may be affected by sediment tracked onto paved surfaces by vehicles or equipment.
- Inlet protection devices are a last line of control. Sediment and erosion controls must be used on site.
- Inlet protection devices must conform to local ordinances or regulations.

Erosion & Sediment Control Guidelines

Construction Permit: *Page 22; Appendix 1*

Storm Drain Inlets cont'

- Inlet protection devices need to provide adequate drainage to prevent excessive roadway flooding.
 - They may be removed for a particular inlet if a specific concern has been identified and documented in the SWPPP (street flooding/freezing, snow removal).
 - If removed, additional ESC practices must be used to supplement the loss of the inlet protection.
- Maintenance and cleaning of inlet protection devices must be performed in a timely manner

Inspections

SWPP Plan – Inspections

Construction Permit: *Page 10; Part II.C.6*

- You are required to perform an inspection:
 - once every 14 calendar days
 - within 24 hours of any storm event greater than 0.50 inches of rain per 24-hour period.
- Rainfall amounts must be taken from a rain gauge located within 5 miles of the site.
- All inspections and maintenance activities must be recorded in writing.

SWPP Plan – Inspections

Construction Permit: *Page 12; Part III.A*

Records of each inspection and maintenance activity shall include:

- The date and time of the inspection
- Name of personnel conducting the inspection
- Findings of the inspection, including recommendations for corrective actions
- Corrective actions taken, if any, including dates, times and party completing maintenance activities
- Date and amount of rainfall events greater than 0.50 inches within 24 hours
- Documentation when the SWPPP has been amended

SWPP Plan – Inspections

Construction Permit: *Page 12; Part III.A*

There may be times when an inspection cannot be conducted due to adverse climatic conditions, i.e., flooding, high winds, electrical storms, etc.

When this occurs you must record why the inspection could not be performed.

Maintenance

Maintenance Considerations

Construction Permit: *Page 22; Appendix 1*

- All BMPs must be inspected to ensure integrity and effectiveness
- All nonfunctional BMPs must be repaired, replaced or supplemented with functional BMPs
- All control devices must be repaired, replaced...when sediment reaches $\frac{1}{3}$ the height of the device. Repairs must be made within 24 hours of discovery or as soon as conditions allow

Maintenance Considerations

Construction Permit: *Page 22; Appendix 1*

- Sediment basins must be drained and the sediment removed when the depth of sediment collected reaches 1/2 the storage volume. Must be completed within 72 hours of discovery or as soon as conditions allow

Maintenance Considerations

Construction Permit: *Page 22; Appendix 1*

- Surface waters, including drainage ditches and conveyance systems, must be inspected for evidence of sediment being deposited by erosion
 - You must remove all deltas and sediment deposits, and restabilize the removal area
 - Removal and stabilization must be conducted immediately, but no more than 7 days after discovery unless precluded by legal, regulatory or physical access constraints.
 - If precluded, removal and stabilization must be conducted immediately, but no more than 7 days after obtaining access

Maintenance Considerations

Construction Permit: Page 23; Appendix 1

- Site egresses must be inspected for evidence of sediment being tracked offsite onto paved surfaces.
- Tracked and deposited sediment must be removed within 24 hour or within a shorter time period if specified by a local authority or the NDDoH
- Vehicle tracking must be minimized by BMPs
- You are responsible for (or making arrangements for) street sweeping and/or scraping if BMPs are not adequate to prevent tracked sediment

Maintenance Considerations

Construction Permit: Page 23; Appendix 1

- If sediment escapes the site, offsite accumulations must be removed
 - Fugitive sediment in streets could be washed into the storm sewer system by the next rain event and/or pose a public safety hazard
- Vegetative buffers must be inspected for proper distribution of flows, sediment accumulation and signs of rill formation.
- If a buffer becomes silt covered or is rendered ineffective, other control measures must be implemented. Eroded areas shall be repaired and stabilized.

Maintenance Considerations

Construction Permit: Page 23; Appendix 1

You are responsible for contacting all local, regional, state and federal authorities and receiving any applicable permits prior to conducting any work.

Records

Records Location

Construction Permit: *Page 12; Part III.B*

- The following must be kept at the construction site:
 - A copy of the completed and signed NOI
 - The coverage letter from the NDDoH
 - SWPPP
 - Site inspection Records
 - The construction general permit, NDR10-0000
- Must be kept in a field office, trailer, shed, or vehicle that is on-site during normal working hours
 - If a reasonable on-site location is not available, then the documents must be retained at a readily available alternative location;
- If the site is inactive, then documents may be stored at a local office

Final Stabilization

Final Stabilization

Construction Permit: *Page 11; Part II.E*

- All soil disturbing activities have been completed
- All soils must be stabilized by a uniform perennial vegetative cover with a density of 70% over the entire pervious surface area, or other equivalent means necessary to prevent soil failure, and;
 - All drainage ditches that drain water from the site have been stabilized to preclude erosion;
 - All temporary synthetic, and structural ESC devices (such as silt fence) have been removed; and
 - All sediment has been removed from conveyances and temporary sediment basins used as permanent water quality management basins and stabilized.

Definintion

Construction Permit: *Page 18; Part V*

- Areas with an average annual rainfall of less than 20 inches, only:
 - All soil disturbing activities at the site have been completed
 - Temporary erosion control measures (e.g., degradable rolled erosion control product) installed
 - An appropriate seed base to provide erosion control for at least three years and achieve 70% vegetative coverage within three years without active maintenance.

Definintion

Construction Permit: *Page 18; Part V*

- Land used for agricultural purposes:
 - Return the disturbed land to its pre-disturbance agricultural use.
- Residential construction, only:
 - temporary erosion protection and down gradient perimeter controls have been installed and
 - the residence has been transferred to the homeowner.
 - In addition, a “homeowner fact sheet” has been distributed to the homeowner. You must also demonstrate that the homeowner received the fact sheet.

Termination

Termination of Coverage

Construction Permit: *Page 6; Part I.E*

Compliance with the permit is required until a NOT is submitted and accepted by the NDDoH.

- An NOT may be submitted when one of the following has been met:
 - Final stabilization has been achieved on all portions of the site for which you are responsible.
 - Another operator/permittee has assumed control over all areas of the site that have not achieved final stabilization.
 - For residential construction only, a NOT may be filed when all the lots have been sold and/or final stabilization has been achieved.

Standard Conditions

Standard Conditions

Construction Permit: *Page 13-17; Part IV*

Signatory Requirements: All applications, reports or information submitted to the NDDoH shall be signed and certified by either;

- A responsible corporate officer, a general partner, or a principal executive officer or ranking elected official.
- A duly authorized representative of the person.

Questions?